

From: [Fanning, Cynthia](#)
To: [Blevins, John](#); [Murray, Suzanne](#)
Cc: [Saunders, Jerry](#); [Gray, David](#); [Taheri, Diane](#); [McCorkhill, Michael](#); [Thomas, LaWanda](#); [Henson, Tucker](#); [Lister, Chris](#)
Subject: OGC draft reply to SEPW QFR from Vitter -- for R6 review, any comment back to me NLT 4:00 pm today
Date: Monday, February 11, 2013 2:08:17 PM

John and Suzanne -

OGC has shared its draft response to the SEPW QFR for Vitter question #5. Please review and let me know if you have any concerns or recommend changes.

Question: On the issue of hydraulic fracturing, I would assume you are familiar with Range Resources and their work in Texas, as well as the pending litigation. Does EPA plan on dismissing your order against Range Resources in light of the Texas Railroad Commission finding that the gas was not from Range Resources' well? As well, are you aware that the judge has dismissed the plaintiff's complaint that their water well had been contaminated by Range Resources, but is allowing Range Resources' counterclaim to proceed against the couple for producing a deceptive video that attempted to show their water would catch on fire due to fracking?

a. As a follow-up are you aware the judge wrote: "This demonstration was not done for scientific study, but to provide local and national news media a deceptive video, calculated to alarm the public into believing the water was burning"?

b. Range Resources has indicated an intention to conduct discovery to determine the extent to which the conduct influenced the EPA. Do you have a course of action for informing the public if EPA's staff failed to meet standards set forth in your new policy for

scientific integrity?

Draft response (from OGC):

Ex. 5 -- Deliberative Process Privilege



~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ *

Cynthia Fanning

Congressional Liaison

US Environmental Protection Agency, Region 6

direct 214-665-2142

office 214-665-2200

fax 214-665-2118

~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ * ~ *